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OFFICE OF PETITIONS

In re Application of : DECISION ON PETITION
Keller et al. :
Application No. 09/980,150 :
Filed: August 5, 2002 :
Atty Docket No.: 10592-023US1 :

This is a decision on the Petition to Withdraw Holding of Abandonment, filed November 7, 2005. The petition is properly treated under 37 CFR 1.181.

The petition is **granted**.

Petitioner avers non-receipt of the non-final office action, mailed April 7, 2005. Applicant provides that a Change of Correspondence Address was filed January 13, 2005; however, the Office action was incorrectly mailed to Applicant's former address of record.

A review of the application file reveals that applicant filed a Change of Correspondence address in this Office on January 13, 2006; however, this Office incorrectly mailed the non-final Office action to Applicant's former address of record.

In view of the above, the petition is granted. The Notice of Abandonment is hereby withdrawn. No fee has been charged and none is due.

The address on the petition is different from the address of record. Also, the address in the Power of Attorney filed July 11, 2005, is different from the address associated with the customer number. Applicant is advised that all correspondence will be sent to the address of record. Applicant is further advised that future allegations of non-receipt are unacceptable if received from the address appearing in the instant petition, as the address in the petition is not the correspondence address of record.

The application file is being referred to Technology Center Art Unit 1615 for re-mailing the Office action.

Telephone inquiries concerning this matter should be directed to the undersigned at (571 272-3232.

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